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SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-290 (Sub-No. 251X)

December 12, 2006

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ (X) Notice of Exemption ☐ () Petition for Exemption ☐ () Regulated Abandonment

☐ () **NO NEW COMMENTS WERE RECEIVED**

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On July 14, 2005, the Board issued a decision in this proceeding indicating that the abandonment was subject to the following environmental conditions: (1) Norfolk Southern Railway Company (NSR) shall comply with the recommendations set forth in the North Carolina Wildlife Resources Commission (NCWRC) May 6, 2005, letter during salvage activities to remove the Queen Anne Creek bridge; (2) NSR shall submit final salvage plans to the U.S. Army Corps of Engineers (Corps) prior to beginning salvage activities of the Queen Anne Creek bridge and shall comply with the reasonable requirements of the Corps; (3) NSR shall notify SEA of the results of these consultations; and (4) NSR shall submit final salvage plans to the Division of Coastal Management (DCM) prior to beginning salvage activities of the Queen Anne Creek bridge. If DCM determines that Coastal Zone Consistency Certification is required, NSR shall obtain consistency certification and notify SEA that it has obtained such certification prior to beginning any salvage activities, in accordance with the Coastal Zone Management Act at 16 U.S.C. 1451 et seq. and the Board's environmental regulations at 49 CFR 1105.9.

NSR has submitted a letter, dated December 11, 2006, stating that it has completed consultation with the Corps and obtained a permit for the Queen Anne Creek bridge removal activities from DCM. NSR requests that its letter be accepted as notification to SEA of the results of the consultations. NSR also requests that the Board state that the outstanding conditions have been satisfied to the extent required to no longer be an impediment to consummation of the abandonment or that the conditions be removed in a formal decision by the Board, as appropriate.

Based on the information in NSR's letter, SEA believes that NSR has complied with conditions 2, 3, and 4, above, and that these conditions can be removed. Although condition 1 remains on the abandonment, this condition does not constitute a barrier to NSR's consummation of the abandonment.

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